

have a front side facing an observer, wherein the mirror glass (1, 12) comprises a reflective layer (5) being reflective in the visible spectral range of light. At least one camera (10) is arranged behind the reflective layer (5) in a viewing direction viewed from the front side. The camera (10) takes images through the reflective layer (5).

The cited prior art reference describes an interior review mirror 10 provided with a camera 12. In column 3, lines 19ff, two mounting possibilities for the camera 12 are discussed. In a first embodiment, the lens 42 of the camera 12 projects through an aperture 30 provided in the interior review mirror 20. This arrangement is shown in Fig. 3. A gasket 44 is necessary in order to seal and secure the lens 42 in the opening 30. This configuration is complex and difficult to assemble. The second embodiment describes the camera 20 being mounted to the rear of the mirror where the reflective surface 36 is located. It is stated in lines 35 to 39 of col. 3 in regard to this configuration that:

"The lens is able to view the passenger compartment because no reflective surface is supplied or included where the lens meets the mirror. The reflective surface has been purposely left off in that area so that the lens 42 may view through the mirror."

Even though the lens 42 is mounted flush with the backside of the mirror, it is not mounted on the reflective surface so as to view through the reflective surface but, as clearly disclosed in column 3, lines 35-39, **the reflective layer 36 in the area of the lens 42 is removed** so that the camera views only through the glass of the mirror.

This area of the mirror where the reflective layer 36 is removed is clearly visible as a spot or flaw of the mirror surface when looking onto the mirror; the visible mirror surface is visually interrupted and the camera can be seen behind the glass. A circle where the reflective surface is removed would be visible much like the circle 12 indicating the camera in Fig. 1.

Therefore, the inventive feature residing in that the camera takes images through the reflective layer is not disclosed in the cited by art reference. The cited prior art reference teaches that the reflective layer must be removed in order to allow the camera to view the passenger compartment. In the present invention, the camera 10 takes images through the reflective layer 5. The reflective layer 5 is reflective within the visible spectrum

of light and since the layer 5 is not removed in the area of the camera, a person looking onto the mirror cannot see the camera 10 behind the mirror pane because the reflective layer 5 shields the camera from view. This configuration provides for a simple and inexpensive manufacture and assembly of the monitoring device.

The prior art clearly teaches that for the camera to be able to view the passenger compartment either an opening must be provided in the mirror pane (aperture 30 - a piece of glass must be cut out) or the reflective layer on the mirror glass must be removed. The prior art therefore clearly teaches that the mirror glass or the reflective layer on the mirror glass must be removed in order to allow the use of the camera mounted behind the mirror pane for viewing the passenger compartment. This is contrary to the teaching of the present invention according to which the camera views the interior of the passenger compartment and takes images **through the reflective layer**.

The present intention as claimed is therefore not anticipated or obvious in view of the prior art reference to *Schmidt* (US 5,570,127).

Rejection under 35 U.S.C. 103

Claim 2 stands rejected under 35 U.S.C. 103 (a) as being unpatentable over *Schmidt et al.* (US 5,570,127) in view of *DeVries, Jr. et al.* (US 6,158,655).

Claim 4-10 and 12 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over *Schmidt et al.* (US 5,570,127) in view of *DeLine* (US 6,278,377).

Claims 11, 17, 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *DeLine et al.* (US 6,278,366) and *Roberts* (US 5,355,284).

Claim 13 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *DeLine et al.* This claim is believed to be allowable as a dependent claim of claim 1.

Claims 14-16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *DeLine et al.* (US 6,278,366) and *Bagué* (US 6,246,933).

Applicant believes that claim 1 clearly defines over the cited prior art and that therefore the dependent claims 2-18 should be allowable also.

CONCLUSION

In view of the foregoing, it is submitted that this application is now in condition for

allowance and such allowance is respectfully solicited.

Should the Examiner have any further objections or suggestions, the undersigned would appreciate a phone call or e-mail communication from the examiner to discuss appropriate amendments to place the application into condition for allowance.

Authorization is herewith given to charge any fees or any shortages in any fees required during prosecution of this application and not paid by other means to Patent and Trademark Office deposit account 50-1199.

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